

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
FOR THE WESTERN DIVISION**

In re:)	Chapter 11
)	
Berean Christian Stores, LLC)	Case No. 09-13640
)	
Debtor.)	Judge Hopkins
)	

**EMERGENCY MOTION TO (I) SCHEDULE EXPEDITED HEARING
ON EMERGENCY MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS PURSUANT TO 11 U.S.C. § 105 AND RULE 9006 OF THE FEDERAL
RULES OF BANKRUPTCY PROCEDURE TO CONTINUE BID PROCEDURES
HEARING; (II) SHORTEN NOTICE PERIOD; AND (III) SET OBJECTION DEADLINE**

The Official Committee of Unsecured Creditors (the “Committee”) of Berean Christian Stores, LLC (the “Debtor”), by and through its undersigned proposed counsel, submits this motion (the “Motion”), pursuant to Local Bankruptcy Rule 9073-1, for entry of an order (a) convening an expedited hearing to consider the Committee’s Emergency Motion to Continue Bid Procedures Hearing (the “Motion to Continue”), a copy of which is attached as Exhibit A; (b) shortening the notice period for the Motion to Continue, and (c) setting a deadline for objections (if any) to the Motion to Continue. In support of this Motion, the Debtor respectfully states as follows:

Background

1. On June 9, 2009 (the “Petition Date”), the Debtor filed a voluntary petition for relief in this Court under Chapter 11 of the Bankruptcy Code. The Debtor continues to operate its business and manage its affairs as a debtor-in-possession pursuant to Sections 1107(a)

and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in the Debtor's Chapter 11 case.

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

3. Venue is proper in this District under 28 U.S.C. §§ 1408 and 1409.

4. On June 16, 2009, the United States Trustee appointed the Committee (Doc. No. 75). The members of the Committee are Thomas Nelson Inc., Standex International Corp., EMI CMG Distribution, Word Entertainment, STL Distribution, Provident Integrity Dist., and Zondervan Publishers. That same day, the Committee held a telephonic organizational meeting at which 5 of the 7 members of the Committee were present. The Committee selected Taft as proposed counsel to represent the Committee in all matters during the pendency of this Chapter 11 case.

Relief Requested

5. By this Motion, the Debtor requests that this Court enter an order: (a) scheduling the Motion to Continue to be heard at the previously scheduled June 18, 2009 hearing on the Debtor's Bid Procedures Motion¹ (the "Hearing"); (b) shortening notice of the Motion to Continue; and (c) requiring that objections, if any, to the relief requested in the Motion to Continue be stated on the record at the hearing.

Request for Expedited Hearing

6. As set forth in detail in the Motion to Continue, the Committee has serious concerns about the unusually compressed time frame currently governing this Chapter 11 case. The Committee has had less than 36 hours to review the documents filed in this Chapter 11 case

¹ Capitalized terms not otherwise defined in this Motion have the meanings set forth in the Motion to Continue.

and has not had an opportunity to intelligently analyze the proposed Bid Procedures in the context of this Chapter 11 case.

7. Because the Committee believes that neither it nor the other parties in interest in this case have had an adequate opportunity to review and respond to the Bid Procedures Motion, the Committee respectfully requests that the Court hear its Motion to Continue prior to conducting a hearing on the Debtor's Bid Procedures Motion.

8. In light of the urgency of the relief requested by the Motion to Continue, the Committee submits that cause exists to shorten notice of the Motion to Continue and requests that this Court conduct a hearing with respect to the Motion to Continue at the scheduled Hearing. Because this Motion has been filed less than twenty-four hours prior to the Hearing, the Committee requests that the Court allow parties in interest to state objections, if any, to the Motion to Continue on the record during the Hearing.

Notice

9. The Debtor proposes to serve notice of the expedited hearing on the Rejection Motion, via electronic mail, facsimile and/or overnight courier as appropriate, on (i) the Office of the United States Trustee for the Southern District of Ohio; (ii) counsel for the Debtor; (iii) the Internal Revenue Service; (iv) the United States Attorney (Cincinnati); (v) the State of Ohio (Departments of Taxation, Workers Compensation, Job and Family Services, and Attorney General/ Collections Enforcement); (vi) all parties listed on the Special Notice List.

10. Because of the exigency of the circumstances, the Committee requests that service of notice of the Motion to Continue in the form and manner described above be deemed adequate and appropriate under the circumstances and in full compliance with applicable

provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) and the Local Bankruptcy Rules of this Court.

Memorandum of Law

11. This Motion includes citations to the applicable authorities and does not raise any novel issues of law. Accordingly, the Debtor respectfully requests that the Court waive the requirement contained in Local Bankruptcy Rule 9013-1(a) that a separate memorandum in support be submitted.

No Prior Request

12. No previous request for the relief sought in this Motion has been made to this Court or any other court.

WHEREFORE the Debtor respectfully requests that the Court enter an order, substantially in the form submitted contemporaneously herewith: (i) scheduling the Motion to Continue for hearing on June 18, 2009 at 2:00 p.m.; (ii) finding that the Committee’s proposed notice procedure shall be sufficient and adequate notice under the circumstances and in full compliance with applicable provisions of the Bankruptcy Code, the Bankruptcy Rules and the Local Bankruptcy Rules of this Court; and (iii) granting to the Committee such other relief as is just.

Dated: June 17, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on all registered ECF participants through the Court's ECF system at the email addresses registered with the Court on the 17th day of June 2009, and by facsimile and/or electronic mail, or U.S. Overnight Mail postage prepaid on the 18th day of June 2009 upon the following:

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/s/ Beth A. Silvers